

Response and Amendment  
Application No. 10/521,762  
Filing Date: Jan. 21, 2005  
Amdt. dated: Nov. 14, 2006  
Reply to Office Action of: Aug. 14, 2006  
Page 7 of 10

**REMARKS**

Claims 14 and 16 through 29 are now pending in this application and, in view of the foregoing amendments and the following remarks, are believed to be in condition for allowance.

Claims 25 and 27 were objected to as non-statutory under 35 USC §101. In response, it is respectfully submitted that methods for inspecting material such as claims 25 and 27 are, by definition, useful and therefore proper under 35 USC §101.

Claims 14-25 were rejected as anticipated by U.S. Patent No. 6,064,477 to Matsumoto et al..

Claims 26 and 27 have been rejected under 35 USC 103(a) as being obvious and unpatentable in view of the teachings of U.S. Patent No. 6,064,477 to Matsumoto et al.

These rejections are believed to be obviated in view of the foregoing amendments and the following remarks.

***Rejection of Claims 14-25 Under 35 USC 102:***

The invention is defined in the claims which have now been amended to more clearly point out the features of the invention, and the claims positively recite structural elements and method steps not found in the prior art.

Claim 14, by way of example, now positively recites that a “single” sensor (e.g., a CCD camera) is used to sense the inspection light emissions. Claim 14 (and claims 16-24 and 26) depending therefrom) positively recite structure not described in this reference, and so are respectfully submitted to be allowable over the art of record.

Response and Amendment  
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Filing Date: Jan. 21, 2005  
Amtd. dated: Nov. 14, 2006  
Reply to Office Action of: Aug. 14, 2006  
Page 8 of 10

Claim 20, as an aside, specifically recites that three colors of emitted light are used, and applicant's review of the '477 Matsumoto et al reference did not uncover disclosure of more than two wavelengths of laser light, and so it appears that rejecting claim 20 as anticipated under §102 may have been improper.

Claim 25 recites method steps not described in this reference (e.g., "passing a third one of said inspection light emissions through the material from said third light source to said third color channel of said sensor device"), and so is respectfully submitted to be allowable over the art of record. Claim 27 depends from claim 25 and so is allowable for the same reason.

***Rejection of Claims 26 and 27 Under 35 USC 103:***

Device claim 26 and method claim 27 have been rejected under 35 USC 103 as being obvious and unpatentable in view of the teachings of U.S. Patent No. 6,064,477 to Matsumoto et al

As noted above, the '477 Matsumoto et al reference teaches use of two wavelengths of laser light to inspect a reticle, where laser light sensors detect scattered laser light. Matsumoto does not teach or suggest the structure or method of the present invention because Matsumoto is solving a very different problem.

Claim 26, depending from device claim 14, positively recites a combination of structural elements not found in or suggested by Matsumoto.

Similarly, claim 27, depending from method claim 25, positively recites a sequence of method steps not found in or suggested by Matsumoto.

Response and Amendment  
Application No. 10/521,762  
Filing Date: Jan. 21, 2005  
Amdt. dated: Nov. 14, 2006  
Reply to Office Action of: Aug. 14, 2006  
Page 9 of 10

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As noted earlier, claim 14 specifically recites that a “single” sensor (e.g., a CCD camera) is used to sense the inspection light emissions.

It is respectfully submitted that a person of skill in the art would find no motivation to combine the disparate teachings of Matsumoto with anything to solve this applicant’s problem, absent this applicant’s description, because each are employed in solving disparate problems.

Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

New claims 28 and 29 are specifically directed to a method for use with a printing press; the preferred embodiment which forces these applicants to concentrate on stringently controlling the quality of printed products.

## **CONCLUSION**

In view of the foregoing amendments and remarks, the present application is now believed to be in condition for allowance. The Examiner has agreed to enter this response and amendment and is requested pass the application to allowance.

Further and favorable consideration is requested.

It is not believed that extensions of time or fees are required beyond those otherwise provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims or the additional of independent claims in excess of three) is hereby

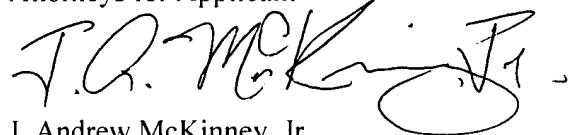
Response and Amendment  
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Filing Date: Jan. 21, 2005  
Amdt. dated: Nov. 14, 2006  
Reply to Office Action of: Aug. 14, 2006  
Page 10 of 10

authorized to be charged to Deposit Account No. 10-1213 and the undersigned is requested to be notified of any such charges.

Should the Examiner have any questions, he is requested to contact the undersigned.

Respectfully submitted,  
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